



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

February 3, 2010

To: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

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First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

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Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

From: William T Fujioka  
Chief Executive Officer

## **SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS - QUARTERLY PROGRESS REPORT NO. 8**

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer (CEO) to implement the Program in partnership with the Directors of Public Works, Internal Services, Public Health, the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed the CEO to provide quarterly progress reports to the Board and to interested stakeholders.

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

### **Single Use Bag Reduction and Recycling Program**

#### Program Activities

Since the last quarterly report, the Working Group met on January 20, 2010 and continues public outreach efforts as highlighted below:

#### Store Participation and Recycling Data

As previously reported, the California Department of Resources Recycling and Recovery (formerly the California Integrated Waste Management Board) provided the County with a list identifying individual store locations for those stores that submitted At-Store Plastic Bag Recycling Reports for the July 1, 2007 through December 31, 2007 reporting period. Staff from the Department of Public Works (DPW) has been analyzing the list to determine what the data

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represents with respect to stores serving the unincorporated County areas. Because store chains sometimes aggregate data, it is difficult to segregate information that pertains exclusively to the County's unincorporated areas. Staff will continue to seek more current reporting data from the State. However, since the State has been unable to provide data for more recent reporting periods, DPW will also be contacting Category 1 stores in the unincorporated County areas to obtain data that will facilitate computation of the plastic bag disposal reduction rate and to determine overall progress toward achieving the goals stipulated under the Program.

### Community Outreach

The first Countywide Brag About Your Bag<sup>®</sup> campaign, which began on "America Recycles Day" (November 15, 2009) concluded with "A Day Without a Bag" on December 17, 2009. The goals of the campaign were to increase awareness of the negative impacts associated with single use plastic bags, promote reusable bags, and increase at-store recycling of plastic bags.

Los Angeles County residents were encouraged to bring in five plastic bags in exchange for a free reusable bag at the campaign events. Campaign events were held at 49 store locations including: Albertsons, Buy Low, Food 4 Less, How's Market, Jax Market, Northgate Market, Ralphs, Stater Brothers, Valu Plus, Wal-Mart, Whole Foods Market, and Wolfe's Market. Campaign events were also held at the Inglewood Gateway, Bell Holiday Parade & Festival, Huntington Park Tree Lighting ceremony, and Valinda Farmer's Market. Thousands of USC and UCLA branded reusable bags were also distributed at the UCLA vs. USC football game. Additionally, 55 cities in the County participated in the campaign by hosting events, posting ads and flyers throughout their cities, featuring campaign messages on their public access/city cable channels, and donating reusable bags.

Within a four-week timeframe, over 45,000 single use plastic bags were collected, and over 55,000 reusable bags were distributed. In addition, the purchase of reusable bags at grocery stores significantly increased during the campaign, thanks in large part to a "pay it forward" campaign conducted by Albertsons stores on December 17, 2009, which provided free reusable bags to customers and encouraged them to pay a discounted fee to provide a free reusable bag to the next customer in line.

In order to further educational efforts, the single use plastic bags collected through the campaign were tied together by volunteers from the San Gabriel and Los Angeles Conservation Corps, La Causa, and Sierra Club, and used to construct a plastic bag ball, which far exceeded the current Guinness World Record for the largest structure made of single use plastic bags. Plans are being developed to promote the structure at public events, County facilities, and to the media. The effort will heighten public awareness of the prolific use of plastic bags Countywide and provides a visual reminder of the issues associated with single use bag consumption - the 40,404 plastic bags contained in the plastic ball represent the number of single use plastic bags that Los Angeles County residents use every three and a half minutes.

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*Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores*

County Counsel is drafting the ordinance to ban plastic bags that will be considered by your Board. Accordingly, we are working with County Counsel, DPW, and a consultant to prepare a Countywide EIR which will be submitted for consideration with the draft ordinance in July 2010. Public scoping meetings were held in each Supervisorial District during December 2009, which provided an opportunity for residents and other interested stakeholders to provide feedback regarding the anticipated content of the draft EIR. The draft EIR will be released for public review in the Spring of 2010.

**Expanded Polystyrene Food Containers**

*Feasibility of Phasing Out EPS Food Containers at County Facilities*

In August 2009, the Responsible Purchasing Network (RPN) completed an in-depth evaluation of the County's use of EPS food containers. DPW reviewed comments from the Working Group including County departments, industry representatives, environmental organizations, and other stakeholders. A Board letter will be submitted for your consideration in Spring 2010 that recommends a strategy for restricting EPS food container usage by County departments.

**Summary**

The attached table provides a detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. The next quarterly report will be submitted to your Board by May 1, 2010. If you have any questions regarding this status report, please contact me or your staff may contact Lari Sheehan at (213) 893-2477, or via email at [lsheehan@ceo.lacounty.gov](mailto:lsheehan@ceo.lacounty.gov).

WTF:LS  
DSP:BK:ib

**Attachment**

c: All Department Heads  
Sanitation Districts of Los Angeles County  
Sapphos Environmental, Inc. (M. Campbell)

## SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<b>Store Related Efforts</b> <ul style="list-style-type: none"> <li>Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate.</li> <li>Establish the measurement methodology to evaluate program success.</li> <li>Establish a menu of store-specific programs for implementation.</li> <li>Develop minimum store participation levels.</li> <li>Develop an environmental awareness message to be printed on each plastic bag.</li> </ul>	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> <li>The store listing is updated as information is received from the State Waste Board and Department of Public Health, and confirmed through store visits.</li> <li>Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and the State Waste Board to obtain at-store recycling data.</li> <li>Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display anti-litter messages or other environmental outreach. <b>Since DPW will be visiting stores to obtain plastic bag use/recycling data, they will also encourage implementation of program elements.</b></li> <li>Participation levels have been established as criteria for recognizing and awarding stores.</li> <li>Environmental messages are currently displayed on the Brag About Your Bag® reusable bags.</li> </ul>
<b>Additional Program Components</b> <ul style="list-style-type: none"> <li>Develop a public education campaign to promote reusable bags and at-store recycling.</li> </ul>	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> <li><b>The Working Group partnered with stores, non-profit organizations, cities, and the media to develop a public education Brag About Your Bag® Campaign from America Recycles Day (11/15/09) through A Day Without a Bag (12/17/09), where residents were encouraged to recycle plastic bags in exchange for free reusable bags. The collected plastic bags were gathered together to form a plastic bag ball structure. Plans are being developed to promote the structure at public events, County facilities, and to the media.</b></li> </ul>

## SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<b>Additional Program Components (continued)</b>		
<ul style="list-style-type: none"> <li>Develop a Store Recognition Program.</li> </ul>	July 1, 2008; ongoing	<ul style="list-style-type: none"> <li>Store evaluation sheets have been reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet.</li> </ul>
<ul style="list-style-type: none"> <li>Identify litter hot spots and develop a focused anti-litter campaign.</li> </ul>	July 1, 2008; ongoing	<ul style="list-style-type: none"> <li>Staff has identified litter hot-spots through storm drain clean up data, and developed focused anti-litter campaigns, <b>such as the Countywide Brag About Your Bag® Campaign with grocery stores and cities. Participation by stores located in litter hot spots was a priority of the Campaign.</b></li> </ul>
<ul style="list-style-type: none"> <li>Maximize recycled content and promote recycling markets for all single use bags.</li> </ul>	July 1, 2008; ongoing	<ul style="list-style-type: none"> <li>According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. We are also working with plastic bag manufacturers to increase the recyclable content of single use plastic bags; manufacturers have provided samples of plastic bags made of 100 percent recycled agricultural film.</li> </ul>
<ul style="list-style-type: none"> <li>Ban plastic carryout bags at County facilities.</li> </ul>	July 2010	<ul style="list-style-type: none"> <li>While most County departments indicated that use of plastic carryout bags is minimal, a few have identified challenges. <b>DPW is developing options to minimize budgetary impacts and provide departments with viable alternatives. DPW has identified a preliminary target date of July 2010 to phase out the use of single use plastic bags at County operations.</b></li> </ul>
<ul style="list-style-type: none"> <li>Continue to encourage cities to join Program.</li> </ul>	Ongoing	<ul style="list-style-type: none"> <li>Staff continues to contact cities to expand the reach of this voluntary Program. <b>Eleven cities continue to partner with the County on the Program, including the City of Malibu which adopted a resolution on 11/9/09.</b></li> </ul>
<ul style="list-style-type: none"> <li>Expand Program to Category 2 / Category 3 stores.</li> </ul>	July 2009	<ul style="list-style-type: none"> <li>These stores are not currently subject to the State's recycling and reporting requirements. Staff will increase store outreach efforts to encourage voluntary participation.</li> </ul>

## SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p><b>County Ordinance: Enforcement of Benchmarks</b></p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be considered:</p> <ol style="list-style-type: none"> <li>1. 30 percent reduction by July 1, 2010</li> <li>2. 65 percent reduction by July 1, 2013</li> </ol> <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>		<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) is being prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings and incorporate feedback from stakeholders, the EIR and ordinance will be submitted to your Board for consideration this summer.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. Although settlement proposals were exchanged, no settlement has been reached as of this date. The hearing date for the lawsuit has been pushed back to April 29, 2010.</p> <p><b>The CA Department of Resources Recycling and Recovery (formerly the CA Integrated Waste Mgmt. Board) has informed DPW that the 2008 At-Store Plastic Bag Recycling Report data is not ready for distribution. This data is needed to determine whether stores have met the benchmarks established by the Board. In the meantime, DPW will be surveying County unincorporated area stores to determine if Program requirements are being achieved.</b></p>
<p><b>County Ordinance: Environmental Awareness Message</b></p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	<p>No due date specified</p>	<ul style="list-style-type: none"> <li>• Since an ordinance banning plastic bags at Category 1 stores would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. <b>Staff is coordinating with stores to voluntarily add the currently mandated message per AB 2449 to each single use plastic carryout bag.</b></li> </ul>

## SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p><b>Board adopted State Legislative Position to Reduce Plastic Bag Litter</b></p> <ul style="list-style-type: none"> <li>• Repeal State law that prevents local government from imposing a fee on plastic carryout bags.</li> <li>• Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags.</li> <li>• Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags.</li> </ul>	Ongoing	<p>County-sponsored AB 87 (Davis) includes the following key provisions:</p> <ul style="list-style-type: none"> <li>• A 25 cent per bag fee</li> <li>• Percentage of fee revenue returned to individual stores</li> <li>• Percentage of fee revenue distributed to local governments on per capita basis</li> <li>• Percentage of fee revenue allocated to state</li> <li>• Fee exemptions for participants in the Women, Infants, and Children (WIC) and food stamp programs</li> <li>• Environmental message requirement omitted due to the fact that there was significant support from various stakeholders for above provisions, which were deemed to be positive elements of legislation.</li> </ul> <p><b>AB 68 (Brownley) contains similar provisions to AB 87. On 1/21/10, both bills were held in the Assembly Appropriations Committee, essentially killing both bills for this legislative session.</b></p>
<p><b>City Actions and Related Litigation</b></p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> <p>In 2008, the Los Angeles City Council voted to ban plastic bags by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time, and phase-out</p>	Not Applicable	<p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus voiding the ordinance. The City has not pursued further action.</p>

# SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p><b>City Actions and Related Litigation (continued)</b></p> <p>EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> <li>• By July 1, 2008 for City departments</li> <li>• By July 1, 2009 for City-permitted events</li> <li>• By July 1, 2010 for lease and concession agreements</li> </ul> <p>Since 2008, the following additional cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> <li>• Malibu</li> <li>• Santa Monica</li> <li>• Gardena</li> <li>• Manhattan Beach</li> <li>• Palo Alto</li> <li>• San Jose</li> <li>• Fairfax</li> <li>• Solana Beach</li> </ul>	<p>No County Due Dates</p> <p>Not Applicable</p>	<ul style="list-style-type: none"> <li>• Implemented</li> <li>• Implemented</li> <li>• To be determined</li> </ul> <p>Malibu voted to ban non-compostable and compostable single use plastic shopping bags for point-of-sale distribution on May 27, 2008; the ban took effect December 27, 2008.</p> <p>On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report prior to adopting an ordinance banning plastic bags; the City is appealing this decision.</p> <p>The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores.</p> <p>On September 22, 2009 the City of San Jose's city council voted to ban single use plastic and paper bags. The San Jose ban is scheduled to take effect January 1, 2011.</p> <p>The city of Fairfax dropped their plans to ban plastic bags under threat of lawsuit.</p> <p>In August 2008, the city of Solana Beach began a voluntary recycling program for plastic bags. In December 2007, the city enacted a law prohibiting plastic bags used for advertising that is thrown onto driveways and yards or hung on doorknobs.</p>



## EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p><b>Phasing Out EPS Food Containers at County Operations</b></p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> <li>1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment.</li> <li>2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products.</li> <li>3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited.</li> </ol>	<p>Indicated below by Program Element</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> <li>• Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> <li>1. Reusable and durable goods</li> <li>2. Biodegradable single-use products</li> <li>3. Recyclable single-use products</li> <li>4. Other non-EPS products</li> <li>5. EPS products (cases where waiver is approved)</li> </ol> </li> <li>• Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy.</li> <li>• Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives.</li> </ul> <p>These actions have all been completed. <b>In Spring 2010, a recommendation will be submitted to your Board to phase out EPS food containers at all County operations.</b></p>
<p><b>Specific Program Components (EPS)</b></p> <ul style="list-style-type: none"> <li>• ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy.</li> <li>• ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis.</li> </ul>	<p>October 2008</p> <p>November 2008</p>	<ul style="list-style-type: none"> <li>• Completed. Additional findings from the consultant's study regarding end of life management have also been incorporated into this policy.</li> <li>• Completed. Findings from the consultant's study were discussed with the Working Group in September and October 2009, and will be submitted to your Board along with the recommendations discussed above.</li> </ul>

# EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<b>Specific Program Components (EPS) (continued)</b>		
<ul style="list-style-type: none"> <li>Energy &amp; Environment Policy Team (EET) to develop EPS outreach program and inform departments.</li> </ul>	March 2009; Ongoing	<ul style="list-style-type: none"> <li>Completed. On 7/29/09, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. DPW also distributed a fact sheet and contact information to Department representatives.</li> </ul>
<ul style="list-style-type: none"> <li>Consultant to complete study and life cycle analysis.                             <ul style="list-style-type: none"> <li>Task 1: Establish consumption baseline</li> <li>Task 2: Analyze products by function</li> <li>Task 3: Develop alternative products listing, pricing</li> <li>Task 4: Life-cycle assessment of baseline products and proposed alternative products</li> <li>Task 5: Final Report</li> </ul> </li> </ul>	July 2009	<ul style="list-style-type: none"> <li>Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009.</li> <li>RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint.</li> <li>RPN recommends that the County and its contractors:                             <ul style="list-style-type: none"> <li>Cease purchase and use of EPS food containers at all County operations.</li> <li>Use reusable food containers if feasible.</li> <li>Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled.</li> <li>Use food containers made from paper if reusables are not feasible and disposables will be recycled.</li> <li>Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>The EET to provide semi-annual progress reports for three years on implementing the restriction at County operations.</li> </ul>	Every six months for three years	<ul style="list-style-type: none"> <li>The EET has been briefed and is prepared to develop the progress reports subject to Board action.</li> </ul>
<ul style="list-style-type: none"> <li>Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products.</li> </ul>	No date specified	<ul style="list-style-type: none"> <li>Materials to increase public awareness regarding EPS food container litter and alternative products are being developed.</li> </ul>
<ul style="list-style-type: none"> <li>DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department.</li> </ul>	No date specified	<ul style="list-style-type: none"> <li>Only one bid was received in response to a September 2009 solicitation for a contract to recycle EPS at the Sheriff's facilities. <b>The vendor must show that they can fully accommodate contract specifications.</b></li> </ul>

# EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<b>Phasing Out EPS Food Containers in Unincorporated County Areas</b> <ul style="list-style-type: none"> <li>DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas.</li> <li>Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program.</li> <li>Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products.</li> <li>Working Group to report recommendations to the Board, including County Code changes as required.</li> </ul>	No date specified	Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders, 12 months following Board action to phase out the use of EPS at County operations.
<b>Board adopted State Legislative Position to Reduce EPS Food Container Litter</b> <ul style="list-style-type: none"> <li>Support legislation that would phase out the use of EPS food containers and encourage the use of alternative products.</li> </ul>	No date specified	As introduced, AB 1358 would have prohibited a food vendor, restaurant, or retail food vendor from dispensing prepared food in a disposable EPS food container. The bill was gutted and amended on 10/26/09 and now deals with a driving under the influence and ignition interlock device pilot program. The CEO and DPW will continue to monitor legislation related to EPS.